

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA**

ANTHONY HAMMOND MURPHY, on behalf
of himself and all others similarly situated,

Plaintiff,

v.

THE HUNDREDS IS HUGE, INC.,

Defendant.

Case No. 1:21-cv-00204-RAL

STIPULATION OF DISMISSAL WITH PREJUDICE

Plaintiff Anthony Hammond Murphy and Defendant The Hundreds is Huge, Inc., by and through their undersigned counsel and pursuant to Fed. R. Civ. P. 41(a)(1), hereby stipulate that:

1. On November 17, 2022, the Court granted final approval of the parties' class action settlement agreement ("Order"). (Doc. 41.)

2. The Court's Order requires the Parties dismiss the lawsuit with prejudice pursuant to Rule 41 of the Federal Rules of Civil Procedure no later than forty-five (45) days following the date of Final Approval and Defendant's payment of fees pursuant to the class action settlement agreement, whichever occurs later. (*Id.* at 12.)

3. The Court's Order also requires that the dismissal be made pursuant to *Kokkonen v. Guardian Life Ins. Co. of Am.*, 511 U.S. 375 (1994), such that the Court's dismissal order expressly retains the Court's jurisdiction to enforce the class action settlement agreement against all Parties. (*Id.*)

4. In light of the foregoing, the Parties hereby stipulate this action be DISMISSED with prejudice, and with each party bearing their own costs and fees incurred in connection with this action, except as provided in the Court's Order Granting Attorneys' Fees And Incentive

Award. (Doc. 42.)

5. This dismissal is made pursuant to *Kokkonen v. Guardian Life Ins. Co. of Am.*, 511 U.S. 375 (1994), such that the Court shall retain jurisdiction to enforce the class action settlement agreement against all Parties.

Respectfully Submitted,

Counsel for Plaintiff and Class:

/s/ Kevin W. Tucker

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SO ORDERED.

The Stipulation of Dismissal is approved. The action is hereby dismissed with prejudice. Pursuant to *Kokkonen v. Guardian Life Ins. Co. of Am.*, 511 U.S. 375 (1994), the Court shall retain jurisdiction to enforce the class action settlement agreement against all Parties



RICHARD A. LANZILLO
United States Magistrate Judge

CERTIFICATE OF SERVICE

I hereby certify that on this day, January 4, 2023, a true and correct copy of the foregoing document was filed on the Court's CM/ECF system and will be served upon all counsel of record.

Respectfully Submitted,

Dated: January 4, 2023

/s/ Kevin W. Tucker

Kevin W. Tucker (He/Him) (PA 312144)